

**Memorandum of the Meeting
Regular Study Session/Meeting
Twenty-Eighth Town Council of Highland
Monday, March 21, 2016**

The regular study session of the Twenty-Eighth Town Council of the Town of Highland was convened at the regular place, the Highland Municipal, 3333 Ridge Road, Highland, Indiana, in the plenary meeting chambers on **Monday, March 21, 2016** at the time of 7:14 o'clock p.m., immediately following the special meeting.

Silent Roll Call: Present on roll call were Councilors Bernie Zemen, Mark Herak, Konnie Kuiper and Dan Vassar. Councilor Steve Wagner was absent owing to a work commitment. The Clerk-Treasurer, Michael W. Griffin was present to memorialize the proceedings. A quorum was attained.

Officials Also Present: John M. Bach, Public Works Director; Kenneth J. Mika, Building Commissioner; and Derek Snyder, P.E. of NIES Engineering were also present.

Additional officials Present: Sue Murovic, Advisory Board of Zoning Appeals; Rich Garcia, Board of Sanitary Commissioners; David Jones, Assistant Inspector for Code Enforcement; Randy Bowman, Assistant Inspector for Electric; and Ed Dabrowski, IT Contract Consultant, were also present.

General Substance of Matters Discussed

1. *Discuss with Kenneth Mika matters related to the progress on the Zoning Code review and rewrite.* The Building Commissioner offered a status report regarding the progress on the review and revision of the zoning code. The Building Commissioner noted that the rewrite would include more graphics to better communicate some of the matters within the code. The Building Commissioner estimated that the revised draft would be ready for review by the Plan Commission in the next few weeks.

The Building Commissioner also reported that the subdivision control code is being reviewed as well.

The Building Commissioner further estimated that the matter would be ready for the Town Council's review in August or September.

The Town Council and the Building Commissioner discussed whether any further moratoria should be authorized while the revision is underway. It was noted some time sensitive language changes were already adopted. The discussion further included an initiative to prohibit pawnshops in the revised language that was determined to be unlawful if it operated as a flat ban. It was being reviewed.

2. *Report on the selection of a New Assistant Inspector for Code Enforcement.* The Building Commissioner noted that the incumbent Assistant Inspector for Code Enforcement, David Jones, would be leaving the post owing to ongoing health issues. He was a candidate for a disability pension from Social Security.

The Building Commissioner also reported that Mr. Jones would be staying on for sufficient period of time to assist with the training and transition of his successor. The Building Commissioner reported that following interviews, he would be appointing candidate, a Highland resident and retired mechanical engineer to the post to be effective on April 4, 2016.

3. *Discussion regarding concerns with an exposed wall at the Ellendale Plaza.* The Town Council inquired about lawful and appropriate remedies that could be applied to the exposed wall of the building that is next to the vacant lot, where the former Chela's Restaurant

once occupied. The discussion included whether some aesthetic improvement could be compelled, perhaps including painting the now exposed wall. It was noted that the matter had been discussed with the building owner, but there is some resistance. The owner's rationale is that the exposed wall was a party wall and should have been the cost responsibility of the owners of Chela's. Chela's building was razed under an unsafe building enforcement by the Town.

4. *Discuss the disposition of 8804 Kennedy Avenue; Cost-benefit analysis regarding the reconstruction of the sidewalk and barrier wall at \$138,098.00 (low bid received) or in the alternative acquire all the property.* The average of the two appraisals, which were identical, offers a much lower price. The Public Works Director reported that he had received appraisals from two independent professionals for the house located at 8804 Kennedy Avenue, Highland and it was \$98,0000 approximately. The Public Works Director suggested that the owners might follow up and pursue the matter, as they may be aware that appraisals were sought. The Public Works Director sought further guidance from the Town Council and whether it wanted to pursue the purchase at this time. It was the sense of the Town Council that it was not ready to move forward with a purchase at this time, as the matter required more deliberation.
5. *Discuss initiating the creation of a General Improvement District for improvements in the 3400 block of Condit Street.* The Public Works Director seeks to have a Works Board Order placed on the agenda from the plenary business meeting of March 28 that will authorize a public hearing at your April 11, 2016 meeting regarding the project and the establishment of the general improvement district. The Public Works Director noted readiness to move forward with the establishment of general improvement district for the 3400 block of Condit Avenue to support and finance public way, curb and sidewalk improvements as sought by the residents from a petition filed many months earlier with the Town Council. The Public Works Director reported that owing to the age of the neighborhood, there are various divergent property set backs that will complicate the design engineering.
6. *Discussed approval of an Extension of the current bids for paving and related materials and services from Walsh & Kelly, Inc.* The Public Works Director also discussed with the Town Council an offer by the current paving contractor to extend for an additional year the current prices that were fixed by bidding several years ago. The Public Works Director indicated that absent an objection, he would like to have the Town Council take this matter up at its March 28 meeting as well. There was no objection expressed by any member of the Town Council.

The Public Works Director also noted that for concrete supplies and services that the Department would be seeking new bids.

7. *Discuss the proposal tendered by Dewberry Associates regarding Limited Professional Services for feasibility study of options for a Town Hall.* At the request of the Town Council President, Daniel Atilano from Dewberry Associated presented a proposal for conducting a feasibility study to review up to three sites for the prospect of constructing or reconstructing a Town Hall facility. The proposal had a fee of \$15,000 for the work. The Town Council discussed the matter and suggested that the sites to be evaluated should be the property currently hosting the gasoline station to the east of the current Town Hall, the property near and around the Central Fire Station, 2901 Highway Avenue, and the location of the municipal parking lot near the south west corner of the intersection of Kennedy and Highway Avenues. There was some discussion regarding whether the project should be delayed owing to the several projects related to the Sanitary District that may require debt financing. The matter would be placed on the agenda for consideration at the March 28 plenary business meeting.

8. *Discuss the amendment to the Compensation and Benefits Ordinance regarding a plan for ACPPA part-timers of 30 hours and the health insurance program for them.* The Clerk-Treasurer discussed a plan for complying with the provisions in the ACPPA that require offering access to the group health plan of the Town for workers who regularly work 30 or more hours weekly. Owing to a question that arose from the Public Works Director, the Clerk-Treasurer elected to revisit the matter with the Town Council at a future meeting.
9. *Municipal Cumulative Capital Development (MCCD) Fund re-establishment process.* The Clerk-Treasurer distributed a proposed written timetable for moving forward with the re-establishment of the (MCCD) in order to allay the effects that the pending reassessment can have if the fund and levy are not re-established. The amending ordinance would be placed on the agenda for the plenary business meeting of March 28, 2016.
10. *New Legislation for road funding for municipalities with populations of 10,000 or more.* The Clerk-Treasurer briefed the Town Council that the legislature just adjourned authorized a new road and related funding source for municipalities with a population of 10,000 or more. The wheel and surtax could significantly provide new monies that would be dedicated to road repair and reconstruction. There was no further discussion regarding the matter. It was noted that the new provision if signed by the governor would be effective July 1 of the current year.
11. *The Public Works Director, Mr. Garcia and Mr. Snyder from NIES discussed several "exigent" projects that were identified by the Board of Sanitary Commissioners as requiring financing in the near term.* The projects were estimated to require a special taxing district bond in the amount of \$6.7 million dollars. The Board was seeking an initial impression from the Town Council to determine if the matter should move forward. There were no objections raised by the Town Council at the meeting.
12. The Public Works Director and the Town Council discussed the bid seeking for up to four new trucks for public works and the ways and means that would likely be employed for their purchase. It was noted they would be financed by the Board of Works, the Board of Waterworks Directors and the Board of Sanitary Commissioners. It was also suggested that a lease financing might be used as well.

There being no further business necessary or desired to be discussed by the Town Council, the regular study session of the Town Council of **Monday, March 21, 2016**, was adjourned at 8:41 o'clock p.m.

Michael W. Griffin, IAMC/MMC/CPFA/CPFIM/CMO
Clerk-Treasurer